PATENT COOPERATION TREATY

To: GILPILLAN BOWMAN (JOHN & KERNICK) PO BOX 331 HALFWAY HOUSE MIDRAND 1685 SOUTH AFRICA Applicant's or agent's file reference P15359PC00 Applicant's or agent's file reference P15359PC00 International application No. International Flatent Classification (PC) or both national classification and BPC PC71B0400108 International Flatent Classification (PC) or both national classification and BPC PC71B1000 and US C1: 463/27 Applicant I. This opinion contains indications relating to the following items: Box No. II Box No. VI Certain documents cited Box No. VI Certain documents cited Box No. VII Certain documents cited Box No. VII Certain documents cited Box No. VII Certain observations on the international application If a demand for international preliminary examination in made, this opinion will be considered to be a written opinion of the international Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the PIPA and the choson PIPA has nordified the international replainary Examining Authority ("IPEA") except that this does not apply where the applicant chooses and Authority other than this one to be the PIPA and the choson PIPA has nordified the international relominary Examining Authority ("IPEA") except that this does not apply where the applicant chooses and Authority other than this one to be the PIPA and the choson PIPA has nordified the international relominary examination in made, this opinion of the PIPA, the applicant is invited to submit to the IPA and when the priority date, whichever expires later. If this opinion is, as provided above, considered to be a written opinion of the PIPA, the applicant is invited to submit to the IPA and mailing of Porn PCT/ISA/220. Name and mailing address of the ISA/ US Audhorized officer Aud	From the INTERNATIONAL SPACE OF THE INTERNATION TREATY		
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WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.	
PCT/IB04/00108	

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it W	th regard to the language, this opinion has been established on the basis of the international application in the language in which was filed, unless otherwise indicated under this item.
	This opinion has been established on the basis of a translation from the original language into the following language which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. Wii	th regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the med invention, this opinion has been established on the basis of:
a.	type of material
	a sequence listing
	table(s) related to the sequence listing
b.	format of material
	in written format
	in computer readable form
c.	time of filing/furnishing
	contained in international application as filed.
	filed together with the international application in computer readable form.
	furnished subsequently to this Authority for the purposes of search.
Additi	In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished. onal comments:
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WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.

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1. Statement		
Novelty (N)	Claims 1-14 Claims NONE	YE
Inventive step (IS)	Claims NONE Claims 1-14	
Industrial applicability (IA)	Claims 1-14 Claims NONE	YE,
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WRITTEN OPINION OF THE

International application No.

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WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No. PCT/IB04/00108

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V. 2. Citations and Explanations:

Claims 1-5 and 8-12 lack an inventive step under PCT Article 33(3) as being obvious over Jordan, U.S. Patent No. 6,416,409 B1 in view of Torango, U.S. Patent No. 6,435,968 B1. Jordan discloses a jackpot wagering system. A plurality of player terminals are each operable by a respective player to place a corresponding wager on each one of a plurality of different turns of a game of chance. An accumulation facility is responsive to placement of each wager to accumulate a portion thereof in an accumulation account. A random event generator is activatable by placement of each wager to generate a random event upon which an outcome of a turn of the game of chance is based. The outcome is one of a number of possible outcomes that includes a favorable outcome causing the player who placed that wager to win the contents of the accumulation account characterized in that the system includes an enrolling means operable to enroll a player during a determined time interval (See Jordan col. 2 lines 16-67; col. 3; col. 4 lines 1-20) [claims 1, 8]. At the time the invention was made it would have been an obvious matter of design choice to enroll each player in the lottery once for every 10 or 15 different turns of the game of chance on which the player has placed a wager [claims 2, 3, 9, 10]. Applicant has not disclosed that the number of turns prior to becoming eligible for the jackpot, provides an advantage or is used for a particular purpose. Having the player enrolled just after 1 turn as in Jordan allows the invention to operate just as well. Therefore, it is a matter of design choice for how many turns are required before a player is eligible for entry into the jackpot lottery. The Examiner further notes, that pre-qualifying conditions before being allowed entry into an event are well known throughout the art. The selection means selects the winner of the lottery at the expiration of the determined time interval (See Jordan col. 2 lines 16-67; col. 3; col. 4 lines 1-20) [claims 4, 11]. The determined time period has a predetermined start time and expires a finite time after the predetermined start time or when the balance of the accumulation account exceeds a predetermined threshold (See Jordan col. 2 lines Jordan lacks in disclosing canceling the lottery upon the occurrence of a favorable outcome or selecting a player if a favorable

Torango teaches of a progressive wagering system in which players are in a lottery. The lottery is cancelled if a favorable outcome occurs during the time interval. The system has a selection means activatiable to select, if a favorable outcome of the game of chance does not occur during the determinable time interval, one of the enrolled players as a winner of the lottery as a function of a contingency determined by at least by chance. The winner of the lottery is awarded the contents of the accumulation jackpot [claims 1, 8] (See Torango col. 4 lines 35-44). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have the lottery cancelled if the favorable outcome was previously determined and to award the outcome to an eligible player if the outcome never occurred. If someone wins the progressive jackpot it is obvious to cancel the lottery however if no one wins the jackpot it is obvious to award it to another player so that someone wins it. This provides an incentive for people to play the progressive jackpot games and to be eligible for the jackpot.

Claims 6-7 & 13-14 lack an inventive step under PCT Article 33(3) as being obvious over Jordan in view of Torango as applied to above and further in view of Stoltz et al. Jordan and Torango also lack in disclosing that the player enrolled in the lottery is uniquely identifiable by means of a corresponding unique code generated by a random number. Stoltz teaches of a lottery system in which enrollment of a player in the lottery is uniquely identifiable by means of a corresponding unique code (See Stoltz paragraph 0005) [claims 6, 13]. The selection means is a random number generator arranged to generated a random number corresponding to the unique codes (See Stoltz paragraph 0005) [claims 7, 14]. It would have been obvious to one of ordinary skill in the art to use a

WRITTEN OPINION OF THE

International application No.

INTERNATIONAL SEARCHING AUTHORI	PCT/IB04/00108
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player, the player can be be to identify players in the progressive jack	t. pot games of Jordan and Torango. By using a number to identify the about the player can be stored in a computer so that if the player ard. Random numbers are common ways to form unique codes to
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